

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names,

We believe we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **STENT DELIVERY CATHETER ASSEMBLY AND METHOD OF USE** the specification of which (check one)

X is attached hereto  
\_\_\_\_ was filed on \_\_\_\_\_  
Application Serial No. \_\_\_\_\_  
and was amended on (or amended through) \_\_\_\_\_  
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material patentability as defined in with Title 37, Code of Federal Regulations, Sec. 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

NONE

Number

Country

Day/Month/Year filed

Yes

No

We hereby claim the benefit under Title 35, United States Code, Sec. 119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

NONE

Appln. Serial No.

Filing Date

Status  
(patented, pending  
abandoned)

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

CRAIG B. BAILEY, Registration No. 28,786, RICHARD A. BARDIN, Registration No. 20,365, GILBERT G. KOVELMAN, Registration No. 19,552, and JOHN S. NAGY, Registration No. 30,664. Direct all telephone calls to John S. Nagy at telephone No. (310) 824-5555.

Address all correspondence to:

FULWIDER PATTON LEE & UTECHT, LLP  
10877 Wilshire Boulevard  
Tenth Floor  
Los Angeles, California 90024

Full name of first inventor: RICHARD S. STACK

Inventor's signature: 

Date: Nov. 11, 1999

Residence: Chapel Hill, North Carolina 27514

Citizenship: USA

Post Office Address: 106 Alder Place

Full name of second inventor: UDAYAN PATEL

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: San Jose, California 95111

Citizenship: INDIA

Post Office Address: 155 Knights Haven Way

CONFIDENTIAL DOCUMENT

Full name of third inventor: WILLIAM J. BOYLE

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: Temecula, California 92591

Citizenship: USA

Post Office Address: 29772 Avenida Cima Del Sol

Full name of fourth inventor: KENT C. B. STALKER

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: San Marcos, California 92069

Citizenship: USA

Post Office Address: 702 Pascali Court

Full name of fifth inventor: PAUL F. MULLER

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: San Carlos, California 94070

Citizenship: USA

Post Office Address: 152 Glasgow Lane

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## Prior Foreign Application(s)

## Priority Claimed

<u>NONE</u>				
Number	Country	Day/Month/Year filed	Yes	No

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<u>NONE</u>		
Appln. Serial No.	Filing Date	Status (patented, pending abandoned)

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Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: Chapel Hill, North Carolina 27514

Citizenship: USA

Post Office Address: 106 Alder Place

G.

Full name of second inventor: UDAYAN PATEL

Inventor's signature: Udayan Patel

Date: 8/30/, 1999

Residence: San Jose, California 95111

Citizenship: INDIA

Post Office Address: 155 Knights Haven Way

Full name of third inventor: WILLIAM J. BOYLE

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: Temecula, California 92591

Citizenship: USA

Post Office Address: 29772 Avenida Cima Del Sol

DOCKET SHEET

Full name of fourth inventor: KENT C. B. STALKER

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: San Marcos, California 92069

Citizenship: USA

Post Office Address: 702 Pascali Court

Full name of fifth inventor: PAUL F. MULLER

Inventor's signature: \_\_\_\_\_

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Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

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Citizenship: INDIA

Post Office Address: 155 Knights Haven Way

Full name of third inventor: WILLIAM J. BOYLE

Inventor's signature: William J. Boyle

Date: 8/18, 1999

Residence: Temecula, California 92591

Citizenship: USA

Post Office Address: 29772 Avenida Cima Del Sol

Full name of fourth inventor: KENT C. B. STALKER

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

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Citizenship: USA

Post Office Address: 702 Pascali Court

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Inventor's signature: \_\_\_\_\_

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Post Office Address: 106 Alder Place

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Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: San Jose, California 95111

Citizenship: INDIA

Post Office Address: 155 Knights Haven Way

Full name of third inventor: WILLIAM J. BOYLE

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: Temecula, California 92591

Citizenship: USA

Post Office Address: 29772 Avenida Cima Del Sol

□  
Full name of fourth inventor: KENT C. B. STALKER

Inventor's signature: Kent C. B. Stalker

Date: Aug 31, 1999

Residence: San Marcos, California 92069

Citizenship: USA

Post Office Address: 702 Pascali Court

□  
Full name of fifth inventor: PAUL F. MULLER

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: San Carlos, California 94070

Citizenship: USA

Post Office Address: 152 Glasgow Lane

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10877 Wilshire Boulevard  
Tenth Floor  
Los Angeles, California 90024

Full name of first inventor: RICHARD S. STACK

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: Chapel Hill, North Carolina 27514

Citizenship: USA

Post Office Address: 106 Alder Place

Full name of second inventor: UDAYAN PATEL

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: San Jose, California 95111

Citizenship: INDIA

Post Office Address: 155 Knights Haven Way

Full name of third inventor: WILLIAM J. BOYLE

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: Temecula, California 92591

Citizenship: USA

Post Office Address: 29772 Avenida Cima Del Sol

Full name of fourth inventor: KENT C. B. STALKER

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: San Marcos, California 92069

Citizenship: USA

Post Office Address: 702 Pascali Court

Full name of fifth inventor: PAUL F. MULLER

Inventor's signature: Paul F. Muller

Date: 8/20/, 1999

Residence: San Carlos, California 94070

Citizenship: USA

Post Office Address: 152 Glasgow Lane

ASSIGNMENT

This Assignment made by Richard S. Stack, M.D. of Chapel Hill, North Carolina; Udayan Patel of San Jose, California; William J. Boyle of Temecula, California; Kent C.B. Stalker of San Marcos, California; and Paul F. Muller of San Marcos, California, Assignors, to ADVANCED CARDIOVASCULAR SYSTEMS, INC., a California corporation, Assignee, having a place of business at 3200 Lakeside Drive, Santa Clara, California 95054-8167.

WHEREAS, Assignors have invented a new and useful **STENT DELIVERY CATHETER ASSEMBLY AND METHOD OF USE**, for which an application for United States

Letters Patent has been executed by them this day; and

WHEREAS, Assignors believe themselves to be the original, first and joint inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign and transfer to Assignee, the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representative(s) and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the dates written hereinbelow.

Assignor(s):

Date: Nov. 11, 1999

  
RICHARD S. STACK

Date: \_\_\_\_\_, 1999

UDAYAN PATEL

Date: \_\_\_\_\_, 1999

WILLIAM J. BOYLE

Date: \_\_\_\_\_, 1999

KENT C.B. STALKER

Date: \_\_\_\_\_, 1999

PAUL F. MULLER

ପ୍ରକାଶନ କମିଶନ

ASSIGNMENT

This Assignment made by Richard S. Stack, M.D. of Chapel Hill, North Carolina; Udayan Patel of San Jose, California; William J. Boyle of Temecula, California; Kent C.B. Stalker of San Marcos, California; and Paul F. Muller of San Marcos, California, Assignors, to ADVANCED CARDIOVASCULAR SYSTEMS, INC., a California corporation, Assignee, having a place of business at 3200 Lakeside Drive, Santa Clara, California 95054-8167.

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WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign and transfer to Assignee, the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representative(s) and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

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IN WITNESS WHEREOF, Assignors have executed this Assignment on the dates written hereinbelow.

Assignor(s):

Date: \_\_\_\_\_, 1999

RICHARD S. STACK

  
RICHARD S. STACK  
UDAYAN PATEL  
G.

Date: 8/20/, 1999

WILLIAM J. BOYLE

Date: \_\_\_\_\_, 1999

Date: \_\_\_\_\_, 1999

KENT C.B. STALKER

Date: \_\_\_\_\_, 1999

PAUL F. MULLER

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ASSIGNMENT

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WHEREAS, Assignors believe themselves to be the original, first and joint inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign and transfer to Assignee, the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representative(s) and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the dates written hereinbelow.

Assignor(s):

Date: \_\_\_\_\_, 1999

RICHARD S. STACK

Date: \_\_\_\_\_, 1999

UDAYAN PATEL

Date: \_\_\_\_\_, 1999

WILLIAM J. BOYLE

Date: Aug 31, 1999

Kent C.B. Stalker  
KENT C.B. STALKER

Date: \_\_\_\_\_, 1999

PAUL F. MULLER

DISPATCH - DRAFTED

ASSIGNMENT

This Assignment made by Richard S. Stack, M.D. of Chapel Hill, North Carolina; Udayan Patel of San Jose, California; William J. Boyle of Temecula, California; Kent C.B. Stalker of San Marcos, California; and Paul F. Muller of San ~~Marcos~~, California, Assignors, to ADVANCED CARDIOVASCULAR SYSTEMS, INC., a California corporation, Assignee, having a place of business at 3200 Lakeside Drive, Santa Clara, California 95054-8167.

WHEREAS, Assignors have invented a new and useful **STENT DELIVERY CATHETER ASSEMBLY AND METHOD OF USE**, for which an application for United States

Letters Patent has been executed by them this day; and

WHEREAS, Assignors believe themselves to be the original, first and joint inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign and transfer to Assignee, the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representative(s) and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the dates written hereinbelow.

Assignor(s):

Date: \_\_\_\_\_, 1999

RICHARD S. STACK

Date: \_\_\_\_\_, 1999

UDAYAN PATEL

Date: \_\_\_\_\_, 1999

WILLIAM J. BOYLE

Date: \_\_\_\_\_, 1999

KENT C.B. STALKER

Date: 8/20, 1999

PAUL F. MULLER

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NOVEMBER 13, 2000

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FULWIDER PATTON LEE & UTECHT, LLP  
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FULWIDER, PATTON, LEE & UTECHT  
LOS ANGELESUNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

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BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

STACK, RICHARD S.

DOC DATE: 11/11/1999

ASSIGNOR:

PATEL, UDAYAN

DOC DATE: 08/30/1999

ASSIGNOR:

BOYLE, WILLIAM J.

DOC DATE: 08/18/1999

ASSIGNOR:

STALKER, KENT C.B.

DOC DATE: 08/31/1999

ASSIGNOR:

MULLER, PAUL F.

DOC DATE: 08/20/1999

ASSIGNEE:

ADVANCED CARDIOVASCULAR SYSTEMS,  
INC.  
3200 LAKESIDE DRIVE  
SANTA CLARA, CALIFORNIA 95054-2807

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U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

RICHARD S. STACK    KENT C.B. STALKER  
 UDAYAN PATEL    PAUL F. MULLER  
 WILLIAM J. BOYLE

Additional name(s) of conveying party(ies) attached?  NO

## 3. Nature of Conveyance:

 Assignment     Merger Security Agreement     Change of Name Other \_\_\_\_\_

Execution Date: 11/11/99; 8/30/99; 8/18/99; 8/31/99; 8/20/99

## 2. Name and address of receiving party(ies):

9-18-60

Name: Advanced Cardiovascular Systems, Inc.

Internal Address: \_\_\_\_\_

Street Address: 3200 Lakeside Drive

City Santa Clara State CA ZIP 95054-2807

Additional name(s) & address(es) attached?  Yes  No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

 A. Patent Application No.(s)

09/439,692

B. Patent No.(s)

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: FULWIDER PATTON LEE &amp; UTECHT, LLP

Internal Address: Howard Hughes Center, Tenth Floor

Street Address: 6060 Center Drive

City: Los Angeles State: CA Zip: 90045

6. Total number of applications and patents involved: One (1)

7. Total fee (37 CFR 3.41): \$ 40.00

 Enclosed Any deficiency/overpayment is authorized to be charged to deposit account

8. Deposit account number: 06-2425

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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

JOHN S. NAGY

Name of Person Signing

Signature

September 12, 2000

Date

Total number of pages including cover sheet, attachments and document: 16

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SERIAL NUMBER: 09439692  
PATENT NUMBER:

FILING DATE: 11/15/1999  
ISSUE DATE:

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